

\*\*\*\*\* UNITED STATES DISTRICT COURT \*\*\*\*\*

NORTHERN

DISTRICT OF

NEW YORK

JUDGMENT IN A CIVIL CASE

DOCKET NO. 1:05cv333 (NAM/RFT)

TONIF. SMITH,

Plaintiff,

COMMISSIONER OF SOCIAL SECURITY,

Defendant(s).

\_\_\_\_\_ JURY VERDICT. This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

XX \_\_\_\_\_ DECISION by COURT. This action came to trial or hearing before the Court. The issues have been tried and a decision has been rendered.

IT IS ORDERED AND ADJUDGED that the final decision of the Secretary is REVERSED and the action is REMANDED for rehearing pursuant to the 4<sup>th</sup> sentence of 42 USC Section 405(g), in accordance with the Stipulation signed by the parties and "So Ordered" by USMJ Randolph F. Treece on 9/26/05.

DATE: September 27, 2005

  
Clerk of Court

s/William J. Griffin

By: \_\_\_\_\_

DEPUTY CLERK